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**State of New Jersey****DEPARTMENT OF ENVIRONMENTAL PROTECTION***Bureau of Enforcement and Investigations*

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JON S. CORZINE
GovernorLISA P. JACKSON
Commissioner

NOV 14 2008

**CERTIFIED MAIL/RRR
(7007 2680 0000 2715 7431)**NL Industries, Inc.
5430 LBJ Freeway
Suite 1700
Dallas, Texas 75240-2697**(7007 2680 0000 2715 7448)**NL Industries, Inc.
Prentice Hall Corp. System
830 Bear Tavern Road
Trenton, NJ 08628RE: DIRECTIVE AND NOTICE TO INSURERS
Old Bridge Twp Margarets Creek
Rt 35
Old Bridge Twp, Middlesex
PI#: PEA080001 - 434324

Dear Respondent:

The Department has received and reviewed the response to the Department's directive dated July 17, 2008 submitted by Christopher R. Gibson, Archer & Greiner, on NL Industries, Inc.'s behalf, including the accompanying Remedial Action Workplan. Based on this review, the Department has deemed the submitted Remedial Action Workplan as inadequate in satisfying the July 17, 2008 Directive and Notice to Insurers. Specifically, the Department directed NL Industries, Inc. (NL) to *conduct a remedial investigation and propose and implement an approved remedial action to remediate the discharges at the Contaminated Site pursuant to N.J.A.C. 7:26E.*

The Remedial Action Workplan presented by NL is deficient in that it does not include delineation of the contaminants at the site as required. The workplan relies on several investigations that were not designed to fully delineate the contaminants and, by NL's own admission within the workplan, were limited. The workplan relies on this information to conclude that the contaminants at the site are limited to surficial soils and confines the remediation proposed to surficial soils. While the Department has no

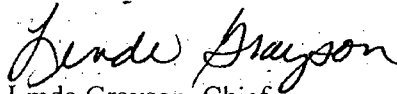
objection to NL implementing its Remedial Action Workplan as an interim remedial measure, with the appropriate access from Old Bridge Township, the workplan's objectives fall short of the directive's mandates. If NL does choose to implement the workplan, then NL shall notify the Department of its intent to proceed with this interim remedial measure. Please note that this request for notification is not, nor should it be construed to be, an approval of the workplan.

Mr. Gibson's letter also reiterates NL's assertions regarding other potentially responsible parties at the site. These assertions are substantially the same assertions raised in previous correspondence. NL's assertions regarding other potentially responsible parties at the site are addressed in the Department's directive dated July 17, 2008 and, therefore, are not addressed in this letter.

Given that NL has failed to adequately address the July 17, 2008 Directive and Notice to Insurers, the Site will be referred to the Department's Publicly Funded Remediation Element for its review and action.

If you have any questions concerning this matter, please contact Michael A. Justiniano at 609-633-1426.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Grayson".

Linda Grayson, Chief
Bureau of Enforcement and Investigations

cc: Michael Justiniano, NJDEP-BEI
Fred Mumford, NJDEP-PFRE
Ed Putnam, NJDEP-PFRE
Christopher R. Gibson, Archer & Greiner